

Coast Guard, DOT

§ 4.04-1

charterer, or the agent of such owner or charterer of the vessel or vessels involved in the marine casualty or accident, and all licensed or certificated personnel whose conduct, whether or not involved in a marine casualty or accident is under investigation by the Board or investigating officer.

§ 4.03-15 Commandant.

The Commandant, U.S. Coast Guard, is that officer who acts as chief of the Coast Guard and is charged with the administration of the Coast Guard.

§ 4.03-20 Coast Guard district.

A Coast Guard district is one of the geographical areas whose boundaries are described in 33 CFR part 3.

§ 4.03-25 District Commander.

The District Commander is the chief of a Coast Guard district and is charged with the administration of all Coast Guard responsibilities and activities within his respective district, except those functions of administrative law judges under the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1001 *et seq.*) and activities of independent units of the Coast Guard, such as the Coast Guard Yard and the Coast Guard Academy.

§ 4.03-30 Investigating officer.

An investigating officer is an officer or employee of the Coast Guard designated by the Commandant, District Commander or the Officer in Charge, Marine Inspection, for the purpose of making investigations of marine casualties and accidents or other matters pertaining to the conduct of seamen. An Officer in Charge, Marine Inspection, is an investigating officer without further designation.

§ 4.03-35 Nuclear vessel.

The term *nuclear vessel* means any vessel in which power for propulsion, or for any other purpose, is derived from nuclear energy; or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

[CGD 84-099, 52 FR 47534, Dec. 14, 1987]

§ 4.03-40 Public vessels.

Except as provided in subpart 4.40 vessels within the statutory exemptions of Title LII of the Revised Statutes of the United States (R.S. 4399-4500) (as amended) relating to the inspection of vessels, are public vessels, and therefore not subject to the regulations in this part. To be deemed public vessels such vessels must:

(a) Be used for a public purpose, not in trade or commercial service; and,

(b) Be owned outright by the United States; it is not sufficient that the United States holds the vessel under a bareboat charter.

[CGD 74-119, 39 FR 33317, Sept. 17, 1974, as amended by CGD 76-149, 42 FR 61200, Dec. 1, 1977]

§ 4.03-45 Marine employer.

Marine employer means the owner, managing operator, charterer, agent, master, or person in charge of a vessel other than a recreational vessel.

[CGD 84-099, 52 FR 47534, Dec. 14, 1987]

§ 4.03-50 Recreational vessel.

Recreational vessel means a vessel meeting the definition in 46 U.S.C. 2101(25) that is then being used only for pleasure.

[CGD 84-099, 52 FR 47534, Dec. 14, 1987]

§ 4.03-55 Law enforcement officer.

Law enforcement officer means a Coast Guard commissioned, warrant or petty officer; or any other law enforcement officer authorized to obtain a chemical test under Federal, State, or local law.

[CGD 84-099, 52 FR 47534, Dec. 14, 1987]

Subpart 4.04—Notice of Potential Vessel Casualty

SOURCE: CGD 85-015, 51 FR 19341, May 29, 1986, unless otherwise noted.

§ 4.04-1 Reports of potential vessel casualty.

A vessel owner, charterer, managing operator or agent shall immediately notify either of the following Coast Guard officers if there is reason to believe a vessel is lost or imperiled.

(a) The Coast Guard district rescue coordination center (RCC) cognizant